

**Testimony in Opposition to SB 2307
Senate Judiciary Committee February 10, 2025**

Chair Larson and members of the Senate Judiciary Committee, my name is Gail Reiten and I'm the advocacy chair for Right to Read ND. Thank you for the opportunity to submit testimony.

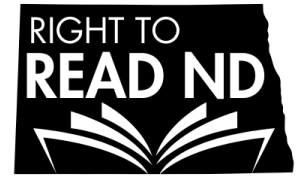
Throughout my life I have seen the power of books and libraries. As a daycare provider, I offered storytimes in my home and volunteered as a library storytime reader. While growing up in Zap, North Dakota, my five siblings and I were so hungry to read that we even exchanged cereal boxes at the breakfast table. Later, I brought my own children to the Minot Public Library, checking out books for them and for myself. The library became such a large influence on our lives that my daughter grew up to be a library director.

That is why I joined Right to Read ND. Right to Read ND is a nonpartisan group of North Dakota citizens concerned about attempts to limit our access to books and materials in libraries across the state. We believe Senate Bill 2307 overrides the First Amendment right of North Dakotans to access materials and books. It will also be costly to our taxpayers and communities, and take local control away from parents, library boards, schools, and communities. It does so in the following ways:

This bill is state government overreach. Parents are responsible for approving content for their own children. However, it is not one family's business to decide what is appropriate for other families to check out. Library challenges should be addressed by local boards and follow the review policies already in place. Local control ensures that library collections will continue to represent our local communities. Under this proposed law, anyone could request an opinion from the North Dakota Attorney General, which could ultimately lead to loss of library or school materials and the withholding of funding.

The bill has vague definitions that are subjective. This bill prohibits libraries from displaying "explicit material harmful to minors." Subjective language such as "harmful to minors" could lead libraries and schools to engage in self-censorship for fear of a criminal Class B misdemeanor. If this bill passes, libraries will likely have to expend time and money defending themselves against challenges and legal charges—either because people don't like the books in the collection, or because they don't like that books were taken out.

No one can explain how the bill would be implemented. Certain ill-defined books would have to be made inaccessible to children. Who would decide which books? To some parents, the Bible is too mature for children to read. For other parents, books about puberty and sex education would be considered explicit. And how inaccessible would they need to be? We have small rural libraries that don't have the space to separate sections, and they may be compelled



to remodel to be in compliance with this law. If they are unable to remodel, would libraries have to pay extra staff members to check IDs to enter certain sections?

The bill would limit access to ebooks, articles, and audiobooks. The bill calls to “filter or block access to” sexually explicit materials in electronic collections. What if our libraries have to shut off access to their database collections because of the slightest chance they “could” include such materials? Students could lose access to the valuable educational e-resources that are currently available to our libraries and schools.

From our understanding, the fiscal burden necessary to upgrade access for age verification is substantial. Libraries and schools already implement filters in compliance with the Children's Internet Protection Act. This ensures they are eligible for the federal E-rate program, which provides needed discounts for libraries and schools in order to fund their internet access and telecommunications. The filtering component of this bill is extreme and could ultimately hurt the academic future of North Dakota’s children.

Finally, the North Dakota Legislature already addressed this issue in 2023 with HB 1205, which put the Federal Miller Test for obscenity into state law. This law also requires libraries to file a report yearly so the state can make sure they are complying. Therefore, ND libraries already have age-appropriate materials in children’s collections.

As citizens who believe in the right to read we trust our trained professionals to guide library collection development, and we are concerned that librarians would be criminalized under this proposed law. Individual families can make content decisions that fit their personal values and viewpoints. Our libraries are thriving and valued centers that provide a place for community building, early childhood programming, technology access, and continuing education opportunities.

We ask you to protect our First Amendment right—the right to read and access information. We strongly urge you to reject censorship and give SB 2307 a Do Not Pass recommendation.

Thank you for your consideration of our testimony.

Gail Reiten
Right to Read ND, Advocacy Chair
righttoreadnd@gmail.com